IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:	Becker et al.	**GROUP:**	2617
SERIAL NO:	10/005,208	**EXAMINER:**	Khai Minh Nguyen
FILED:	December 4, 2001		
FOR:	MOTOR VEHICLE DATA COMMUNICATION NETWORK		

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

APPEAL BRIEF

This appeal is in response to the Official Action dated May 13, 2009, and the Notice of Appeal filed on September 11, 2009. Please charge our Deposit Account No. 50-3381 in the amount of $540.00 for the Appeal Brief fee.

I hereby certify that this correspondence (along with any paper referred to as being attached or enclosed) is being transmitted electronically to the Commissioner for Patents via EFS-web, on the date indicated below.

Kim M. Fiorentino

Kim M. Fiorentino
11/11/09
Date

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I. REAL PARTY IN INTEREST

The real party of interest is Harman Becker Automotive Systems GmbH of Karlsbad, Germany.

II. RELATED APPEALS AND INTERFERENCES

There are no related appeals or interferences.

III. STATUS OF CLAIMS

On September 11, 2009, the appellant appealed from the rejection of claims 1, 5-8, 12 and 16-21 under 35 U.S.C. §103(a). Claims 1, 5-8, 12 and 16-21, which are set forth in the Claims Appendix attached hereto, are all the remaining claims in this application.

IV. STATUS OF AMENDMENTS

No amendments have been filed subsequent to the final rejection.

V. SUMMARY OF CLAIMED SUBJECT MATTER

The invention recited in claim 1 relates to a motor vehicle Media Oriented Systems Transport data communication network. The various elements recited in claim 1 are discussed as follows in the published application, U.S. Publication No. 2002/0098854 A1:

FEATURES OF CLAIM 1	SPECIFICATION
A motor vehicle Media Oriented Systems Transport data communication network, comprising:	Paragraphs: [0002] & [0008] FIGs.: 1 & 2 Elements: 10 & 40
a ring bus;	Paragraphs: [0002], [0004] & [0012]-[0013] FIGs.: 1 & 2 Elements: 16-20 & 48-52
a plurality of multimedia units connected to the ring bus; and	Paragraphs: [0002], [0004] & [0012]-[0013] FIGs.: 1 & 2 Elements: 11-15 & 42-46
a wireless transceiver connected to the ring bus, where the wireless transceiver receives outgoing data from the ring bus and transforms the outgoing data to a wireless data format and transmits the transformed data, and receives incoming data and transforms the incoming data and provides transformed incoming data indicative thereof to the ring bus, where the incoming data is formatted as Bluetooth data.	Paragraphs: [0004]-[0008] & [0012]-[0013] FIGs.: 1 & 2 Elements: 10, 22, 24, 40, 54 & 56

The invention recited in claim 8 relates to a method of communicating over a wireless communication channel between a motor vehicle Media Oriented Systems Transport network having a wireless transceiver and a wireless device. The various elements recited in claim 8 are discussed as follows in the published application, U.S. Publication No. 2002/0098854 A1:

FEATURES OF CLAIM 8	SPECIFICATION
A method of communicating over a wireless communication channel between a motor vehicle Media Oriented Systems Transport network having a wireless transceiver and a wireless device, comprising:	Paragraphs: [0002], [0004]-[0008] & [0012]-[0013] FIGs.: 1 & 2 Elements: 10, 22, 24, 26, 28, 30, 32, 40, 54 & 56
receiving outgoing data at the wireless transceiver in a first data format compatible with the Media Oriented Systems Transport network and transforming the outgoing data to a second data format compatible with the wireless communication channel and providing a transformed output signal indicative thereof;	Paragraphs: [0004]-[0006], [0008] & [0012]-[0013] FIGs.: 1 & 2 Elements: 10, 22, 24, 40, 54 & 56
transmitting the transformed output signal over the wireless communication channel; and	Paragraphs: [0004]-[0006], [0008] & [0012]-[0013] FIGs.: 1 & 2 Elements: network between antennae 24 and 32 & network between antennae 24 and 56
receiving incoming data at the wireless transceiver in the second data format and transforming the incoming data to the first data format, and providing a transformed input signal indicative thereof,	Paragraphs: [0004], [0007]-[0008] & [0012]-[0013] FIGs.: 1 & 2 Elements: 10, 22, 24, 40, 54 & 56
where the second data format is compatible with Bluetooth.	Paragraphs: [0005], [0008] & [0013]

The invention recited in claim 12 relates to a motor vehicle Media Oriented Systems Transport data communication network that communicates over a wireless communication channel with a wireless device. The various elements recited in claim 12 are discussed as follows in the published application, U.S. Publication No. 2002/0098854 A1:

FEATURES OF CLAIM 12	SPECIFICATION
A motor vehicle Media Oriented Systems Transport data communication network that communicates over a wireless communication channel with a wireless device, comprising:	Paragraphs: [0002], [0004]-[0008] & [0012]-[0013] FIGs.: 1 & 2 Elements: 10, 26, 28, 30, 32 & 40
a ring bus;	Paragraphs: [0002], [0004] & [0012]-[0013] FIGs.: 1 & 2 Elements: 16-20 & 48-52
a plurality of multimedia units connected to the ring bus; and	Paragraphs: [0002], [0004] & [0012]-[0013] FIGs.: 1 & 2 Elements: 11-15 & 42-46
means for receiving outgoing data from the ring bus in a first data format compatible with the Media Oriented Systems Transport network, and for transforming the outgoing data to a second data format compatible with a wireless communication channel and for transmitting a transformed output data signal indicative thereof over the wireless communication standard,	Paragraphs: [0004], [0006]-[0008] & [0012]-[0013] FIGs.: 1 & 2 Elements: 10, 22, 24, 40, 54 & 56
where the transformed output data signal is formatted as Bluetooth data.	Paragraphs: [0005], [0008] & [0013]

The invention recited in claim 16 relates to a motor vehicle Media Oriented Systems Transport data communication network. The various elements recited in claim 16 are discussed as follows in the published application, U.S. Publication No. 2002/0098854 A1:

FEATURES OF CLAIM 16	SPECIFICATION
A motor vehicle Media Oriented Systems Transport data communication network, comprising:	Paragraphs: [0002] & [0008] FIGs.: 1 & 2 Elements: 10 & 40
a ring bus;	Paragraphs: [0002], [0004] & [0012]-[0013] FIGs.: 1 & 2 Elements: 16-20 & 48-52
a plurality of multimedia units connected to the ring bus; and	Paragraphs: [0002], [0004] & [0012]-[0013] FIGs.: 1 & 2 Elements: 11-15 & 42-46
a wireless transceiver connected to the ring bus, where the wireless transceiver receives outgoing data from the ring bus and transforms the outgoing data to a wireless data format and transmits the transformed data, and receives incoming data and transforms the incoming data and provides transformed incoming data indicative thereof to the ring bus.	Paragraphs: [0004]-[0008] & [0012]-[0013] FIGs.: 1 & 2 Elements: 10, 22, 24, 40, 54 & 56

The invention recited in claim 20 relates to a method of communicating over a wireless communication channel between a motor vehicle Media Oriented Systems Transport network having a wireless transceiver and a wireless device. The various elements recited in claim 20 are discussed as follows in the published application, U.S. Publication No. 2002/0098854 A1:

FEATURES OF CLAIM 20	SPECIFICATION
A method of communicating over a wireless communication channel between a motor vehicle Media Oriented Systems Transport network having a wireless transceiver and a wireless device, comprising:	Paragraphs: [0002], [0004]-[0008] & [0012]-[0013] FIGs.: 1 & 2 Elements: 10, 22, 24, 26, 28, 30, 32, 40, 54 & 56
receiving outgoing data at the wireless transceiver in a first data format compatible with the Media Oriented Systems Transport network and transforming the outgoing data to a second data format compatible with the wireless communication channel and providing a transformed output signal indicative thereof;	Paragraphs: [0004]-[0006], [0008] & [0012]-[0013] FIGs.: 1 & 2 Elements: 10, 22, 24, 40, 54 & 56
transmitting the transformed output signal over the wireless communication channel; and	Paragraphs: [0004]-[0006], [0008] & [0012]-[0013] FIGs.: 1 & 2 Elements: network between antennae 24 and 32 & network between antennae 24 and 56
receiving incoming data at the wireless transceiver in the second data format and transforming the incoming data to the first data format, and providing a transformed input signal indicative thereof.	Paragraphs: [0004], [0007]-[0008] & [0012]-[0013] FIGs.: 1 & 2 Elements: 10, 22, 24, 40, 54 & 56

The invention recited in claim 21 relates to a motor vehicle Media Oriented Systems Transport data communication network that communicates over a wireless communication channel with a wireless device. The various elements recited in claim 21 are discussed as follows in the published application, U.S. Publication No. 2002/0098854 A1:

FEATURES OF CLAIM 21	SPECIFICATION
A motor vehicle Media Oriented Systems Transport data communication network that communicates over a wireless communication channel with a wireless device, comprising:	Paragraphs: [0002], [0004]-[0008] & [0012]-[0013] FIGs.: 1 & 2 Elements: 10, 26, 28, 30, 32 & 40
a ring bus;	Paragraphs: [0002], [0004] & [0012]-[0013] FIGs.: 1 & 2 Elements: 16-20 & 48-52
a plurality of multimedia units connected to the ring bus; and	Paragraphs: [0002], [0004] & [0012]-[0013] FIGs.: 1 & 2 Elements: 11-15 & 42-46
means for receiving outgoing data from the ring bus in a first data format compatible with the Media Oriented Systems Transport network, and for transforming the outgoing data to a second data format compatible with a wireless communication channel and for transmitting a transformed output data signal indicative thereof over the wireless communication standard.	Paragraphs: [0004]-[0008] & [0012]-[0013] FIGs.: 1 & 2 Elements: 10, 22, 24, 40, 54 & 56

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

Whether claims 1, 8, 12, 16, 20 and 21 are obvious in view of the Admitted Prior Art in the Background of the Invention of the present application (hereinafter "APA"), U.S. Patent No. 6,708,217 to Colson et al. (hereinafter "Colson") and U.S. Publication No. 2008/0167069 to Bridgelall et al. (hereinafter "Bridgelall").

VII. ARGUMENT

REJECTION UNDER 35 U.S.C. §103(A)

CLAIM 1

Claim 1 recites a motor vehicle Media Oriented Systems Transport data communication network. The network includes:

> "a ring bus;
> a plurality of multimedia units connected to the ring bus; and
> **a wireless transceiver connected to the ring bus**, where the wireless transceiver receives outgoing data from the ring bus and transforms the outgoing data to a wireless data format and transmits the transformed data, and receives incoming data and transforms the incoming data and provides transformed incoming data indicative thereof to the ring bus, where the incoming data is formatted as Bluetooth data." (Emphasis added).

The Official Action (hereinafter "Action") contends that the combination of the APA, Colson and Bridgelall teaches such a network. Specifically, the Action contends that Colson teaches connecting a wireless transceiver (FIG. 2, element 220) to a ring bus (FIG. 2, elements 201-204 and 220). (Action, pg 3). Applicants respectfully disagree with this contention and submit that Colson is not being considered properly as a whole.

Colson teaches that vehicles may have multiple devices capable of processing different combinations of text, image, and sound. (Col. 3, lines 21-24). However, these devices (i.e., content renderers) are generally "**physically separate** special-purpose devices." (Col. 3, lines 25-27). As a result, for example, "a Web browser cannot simply route the received content to the appropriate renderers for the received content type(s) because those renderers are **not** coupled together." (Col. 3, lines 27-30, emphasis added). Thus, Colson teaches that the object of the disclosed invention is to provide a technique for receiving, demultiplexing and distributing a multi-modal document to one or more of these physically separate content renderers. (Col. 3,

lines 52-55 in view of lines 21-30 and 42-47). Notably, this physically separate configuration is in direct contrast to the configuration of a ring bus which connects adjacent elements together (see Exhibit C below).

As illustrated in FIG. 2 (see Exhibit A below), Colson teaches that a Wdemux 220 (i.e., a Web Demultiplexer) "is situated **between** [a] plurality of Web clients" (i.e., content renderers such as a facsimile machine 201, a vehicle dashboard display 202, an audio processor 203 and handheld mobile computer 204). (Col. 7, lines 18-24, emphasis added).

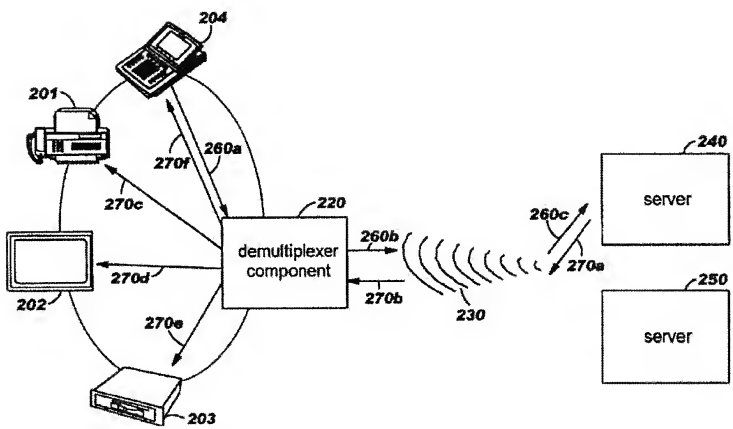


Exhibit A: FIG. 2 of Colson

That is, according to a fair and proper reading of Colson as a whole, as illustrated in FIG. 2, the Wdemux 220 connects the physically separate content registers 201-204 together in a star-shaped network (see Exhibit B below) via communication paths 270c-270f, and not in a ring-shaped network as disclosed in the APA.

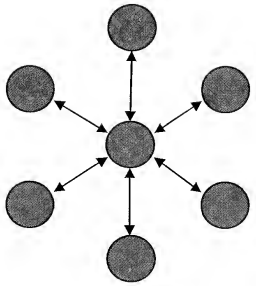


Exhibit B: Typical Star-Shaped Network
(see Wikipedia.org "star network")

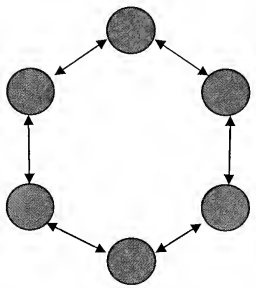


Exhibit C: Typical Ring-Shaped Network
(see Wikipedia.org "ring network")

During operation, Colson teaches that an outgoing HTTP request message generated by the handheld mobile computer 204 (i.e., one of the content renderers) is transmitted 260a to the Wdemux 220. (Col. 7, lines 33-35). The Wdemux 220 forwards 260b the message to a wireless

network 230. (Col. 7, lines 35-36). The network 230 forwards 260c the message to a Web server 240. (Col. 7, lines 36-37). Once the Web server 240 has retrieved a multi-modal document requested by the message, the document returns (i.e., is transmitted) 270a, 270b to the Wdemux 220. (Col. 7, lines 41-44). After determining where portions of the multi-modal document should be distributed, the Wdemux 220 (i) routes 270c ASCII text to the fax machine 201, (ii) routes 270d an image to the display 202, (iii) routes 270e a sound file to the audio processor 203, and (iv) routes 270f HTML text to the handheld mobile computer 204. (Col. 7, line 45 to col. 8, line 15).

Notably, Colson fails to teach or suggest that data is transmitted between adjacent content renderers 201-204 (e.g., from the Wdemux 220 to the fax 201 through the mobile computer 204). **Rather, Colson teaches that data is transmitted from each of the content renderers 201-204 to the Wdemux 220 along different communication paths (e.g., paths 270c-270f); e.g., in a star-shaped network (see Exhibit B).** Thus, according to a fair and proper reading of Colson as a whole, the line encircling the content renderers 201-204 and the Wdemux 220 (see Exhibit A) merely illustrates that these elements operate in a single network; i.e., a star-shaped network where the Wdemux 220 is the central node. Therefore, Colson fails to teach or suggest the feature of *"a wireless transceiver connected to the ring bus...."* (cl. 1, emphasis added). In addition, a person of ordinary skill in the art would have no reasonable expectation of success by connecting the Wdemux 220 in Colson to a ring bus since the Wdemux 220 is designed to facilitate the transfer of data in a star-shaped network (i.e., directly to a specific content renderer), opposed to transferring data in a ring-shaped network (e.g., indirectly through other content renderers to a specific content renderer).

Finally, Colson teaches away from connecting the Wdemux 220 to a ring bus as disclosed in the APA. Specifically, as set forth above, Colson teaches that the object of the disclosed invention is to provide a technique for receiving, demultiplexing and distributing a multi-modal document to one or more physically separated content renderers. (Col. 3, lines 52-55 in view of lines 21-30 and 42-47). This object would become moot if the content renderers were connected together via a ring bus; i.e., no longer physically or communicatively separated. In addition, where the content renders 201-204 (data sinks / data sources) are interconnected via a ring bus, the network of renderers could utilize a transceiver from one of the included content renders 201-204 (e.g., a transceiver for facsimile machine 201) to distribute data received over the wireless network 230 to the other content renders 202-204, negating the object for the Wdemux 220. Therefore, a person of ordinary skill in the art would not be motivated to connect the Wdemux 220 to a ring bus since the data sources and the data sinks connected to the ring bus would already be cooperating together to transmit data therebetween. As a result, a person of ordinary skill in the art would not be motivated to combine the teachings of the APA and Bridgelall with the teachings of Colson.

For at least these reasons, applicants respectfully submit that claim 1 is not obvious in view of the APA, Colson and Bridgelall.

CLAIM 8

Claim 8 recites a method of communicating over a wireless communication channel between a motor vehicle Media Oriented Systems Transport network having a wireless transceiver and a wireless device. The method includes:

> "receiving outgoing data at the wireless transceiver in a first data format compatible with the Media Oriented Systems Transport network and transforming the outgoing data to a second data format compatible with the wireless

communication channel and providing a transformed output signal indicative thereof;

transmitting the transformed output signal over the wireless communication channel; and

receiving incoming data at the wireless transceiver in the second data format and transforming the incoming data to the first data format, and providing a transformed input signal indicative thereof,

where the second data format is compatible with Bluetooth."

The Action contends that the combination of the APA, Colson and Bridgelall teaches such a method. Specifically, the Action contends that "Colson teaches receiving outgoing data... at the wireless transceiver... in a first data format compatible with the network... and transforming the outgoing data to a second data format compatible with the wireless communication channel...; and receiving incoming data at the wireless transceiver in the second data format... and transforming the incoming data to the first data format...." (Action, pg 6). Applicants respectfully disagree with this contention and submit that Colson is not being considered properly as a whole.

First, the APA discloses that a MOST network is commonly implemented in multimedia systems. (APA, [0002]). Such systems have "a ring structure that communicably links several units that serve as data sources or data links." (APA, [0002]). In contrast, as set forth above, Colson discloses that the Wdemux 220 connects the physically separated content renderers 201-204, e.g., in a star-shaped network (see Exhibit B), where the Wdemux 220 facilitates the transfer of data to each of the content renderers. Therefore, a person of ordinary skill in the art would have no reasonable expectation of success by connecting the Wdemux 220 in Colson to a MOST network having a ring bus as taught in the APA since the Wdemux 220 is designed to facilitate the transfer of data in, e.g., a star-shaped network (i.e., directly to a specific content

renderer), opposed to transferring data in a ring-shaped network (e.g., indirectly through other content renderers to a specific content renderer).

Second, Colson teaches away from connecting the Wdemux 220 to a ring bus as disclosed in the APA. Specifically, as set forth above, Colson teaches that the object of the disclosed invention is to provide a technique for receiving, demultiplexing and distributing a multi-modal document to one or more physically separated content renderers. (Col. 3, lines 52-55 in view of lines 21-30 and 42-47). This object would become moot if the content renderers were connected together via a ring bus; i.e., no longer physically or communicatively separated. In addition, where the content renders 201-204 (data sinks / data sources) are interconnected via a ring bus, the network of renderers could utilize a transceiver from one of the included content renders 201-204 (e.g., a transceiver for facsimile machine 201) to distribute data received over the wireless network 230 to the other content renders 202-204, negating the object of the Wdemux 220. Therefore, a person of ordinary skill in the art would not be motivated to connect the Wdemux 220 in Colson to a ring bus since the data sources and data sinks (e.g., content renderers) connected to the ring bus would already be cooperating together to transmit data therebetween. As a result, a person of ordinary skill in the art would not be motivated to combine the teachings of the APA and Bridgelall with the teachings of Colson.

For at least these reasons, applicants respectfully submit that claim 8 is not obvious in view of the APA, Colson and Bridgelall

CLAIMS 12, 16, 20 AND 21

Applicants respectfully submit that claims 12, 16, 20 and 21 are patentable for at least similar reasons as set forth above with respect to claims 1 and 8. For example, a person of ordinary skill in the art would have no reasonable expectation of success by connecting the

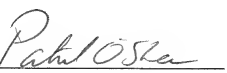
Wdemux 220 in Colson to a MOST network having a ring bus as taught in the APA since the Wdemux 220 is designed to facilitate the transfer of data in, e.g., a star-shaped network (i.e., directly to a specific content renderer), opposed to transferring data in a ring-shaped network (e.g., indirectly through other content renderers to a specific content renderer). In addition, as set forth above, Colson teaches that the object of the disclosed invention is to provide a technique for receiving, demultiplexing and distributing a multi-modal document to one or more physically separated content renderers. (Col. 3, lines 52-55 in view of lines 21-30 and 42-47). This object would become moot if the content renderers were connected together via a ring bus; i.e., no longer physically or communicatively separated. As a result, a person of ordinary skill in the art would not be motivated to combine the teachings of the APA and Bridgelall with the teachings of Colson.

VIII. CONCLUSION

For all the foregoing reasons, applicants submit that the rejection of claims 1, 5-8, 12 and 16-21 is erroneous and reversal thereof is respectfully requested.

If there are any additional fees due in connection with the filing of this appeal brief, please charge them to our Deposit Account No. 50-3381.

Respectfully submitted,



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CLAIMS APPENDIX

1. (Previously Presented) A motor vehicle Media Oriented Systems Transport data communication network, comprising:

a ring bus;

a plurality of multimedia units connected to the ring bus; and

a wireless transceiver connected to the ring bus, where the wireless transceiver receives outgoing data from the ring bus and transforms the outgoing data to a wireless data format and transmits the transformed data, and receives incoming data and transforms the incoming data and provides transformed incoming data indicative thereof to the ring bus, where the incoming data is formatted as Bluetooth data.

5. (Previously Presented) The Media Oriented Systems Transport data communication network of claim 1, where the plurality of multimedia units includes a DVD player.

6. (Previously Presented) The Media Oriented Systems Transport data communication network of claim 1, where the plurality of multimedia units includes an audio player.

7. (Previously Presented) The Media Oriented Systems Transport data communication network of claim 1, where the plurality of multimedia units includes a navigation system.

8. (Previously Presented) A method of communicating over a wireless communication channel between a motor vehicle Media Oriented Systems Transport network having a wireless transceiver and a wireless device, comprising:

receiving outgoing data at the wireless transceiver in a first data format compatible with the Media Oriented Systems Transport network and transforming the outgoing data to a second data format compatible with the wireless communication channel and providing a transformed output signal indicative thereof;

transmitting the transformed output signal over the wireless communication channel; and

receiving incoming data at the wireless transceiver in the second data format and transforming the incoming data to the first data format, and providing a transformed input signal indicative thereof,

where the second data format is compatible with Bluetooth.

12. (Previously Presented) A motor vehicle Media Oriented Systems Transport data communication network that communicates over a wireless communication channel with a wireless device, comprising:

a ring bus;

a plurality of multimedia units connected to the ring bus; and

means for receiving outgoing data from the ring bus in a first data format compatible with the Media Oriented Systems Transport network, and for transforming the outgoing data to a second data format compatible with a wireless communication channel and for transmitting a transformed output data signal indicative thereof over the wireless communication standard,

where the transformed output data signal is formatted as Bluetooth data.

16. (Previously Presented) A motor vehicle Media Oriented Systems Transport data communication network, comprising:

a ring bus;

a plurality of multimedia units connected to the ring bus; and

a wireless transceiver connected to the ring bus, where the wireless transceiver receives outgoing data from the ring bus and transforms the outgoing data to a wireless data format and transmits the transformed data, and receives incoming data and transforms the incoming data and provides transformed incoming data indicative thereof to the ring bus.

17. (Previously Presented) The Media Oriented Systems Transport data communication network of claim 16, where the plurality of multimedia units includes a DVD player.

18. (Previously Presented) The Media Oriented Systems Transport data communication network of claim 16, where the plurality of multimedia units includes an audio player.

19. (Previously Presented) The Media Oriented Systems Transport data communication network of claim 16, where the plurality of multimedia units includes a navigation system.

20. (Previously Presented) A method of communicating over a wireless communication channel between a motor vehicle Media Oriented Systems Transport network having a wireless transceiver and a wireless device, comprising:

receiving outgoing data at the wireless transceiver in a first data format compatible with the Media Oriented Systems Transport network and transforming the outgoing data to a second

data format compatible with the wireless communication channel and providing a transformed output signal indicative thereof;

transmitting the transformed output signal over the wireless communication channel; and

receiving incoming data at the wireless transceiver in the second data format and transforming the incoming data to the first data format, and providing a transformed input signal indicative thereof.

21. (Previously Presented) A motor vehicle Media Oriented Systems Transport data communication network that communicates over a wireless communication channel with a wireless device, comprising:

a ring bus;

a plurality of multimedia units connected to the ring bus; and

means for receiving outgoing data from the ring bus in a first data format compatible with the Media Oriented Systems Transport network, and for transforming the outgoing data to a second data format compatible with a wireless communication channel and for transmitting a transformed output data signal indicative thereof over the wireless communication standard.

EVIDENCE APPENDIX

None.

RELATED PROCEEDINGS APPENDIX

None.